



PRIMARY ELECTION REMINDERS & BALLOT VACANCIES

2023 Northern & Southern District Clerks' Conferences

Presented by:

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Acronyms

- ABS = absentee
- CAF = county authorization request (module in SVRS)
- CAN = candidate (used on forms)
- CFA = campaign finance act (also used on forms)
- D = Democratic Party
- L = Libertarian Party
- PC = precinct committeeman
- R = Republican Party
- SVRS = statewide voter registration sysmte

Campaign Finance Reports

- No primary for one or both parties?
 - Candidates are still required to file a pre-primary report, if committee is open
 - All candidates running for an office paying more than \$5,000 in a calendar year should have a committee open by this point in the cycle!
- CFA-11 Reports
 - Candidates who filed to run in the primary, even if no primary is conducted, must file “large contribution” reports within 48-hours WHEN:
 - Candidate receives a contribution of \$1000 or more between April 8-30, 2023
- Libertarian Party candidates
 - Will have a pre- or post-convention report due
 - See 2023 Campaign Finance Manual for details

Absentee Voter Board Members

- Duties include, but not limited to:
 - Travel board
 - Early Voting (managed by bi-partisan teams of 2!)
 - ABS application review
 - Initialing ABS-Mail ballots
- Not later than March 13, 2023...
 - CEB MUST notify D & R chair of the number of absentee voter board members required to support primary election activities
- Not later than NOON, March 17, 2023....
 - Chairs must nominate individuals to serve
 - After 12P deadline, CEB can backfill positions with individuals who meet qualifications under state law

ABS Ballots

- Saturday, March 18, 2023
 - Deadline to send absentee ballot to voter with approved absentee application such as:
 - ABS-Mail
 - ABS-VPD (voters with print disabilities)
 - Federal Post Card Application (FPCA)
 - For fax/email military & overseas voters using FPCA, don't forget to send the ABS-9 secrecy waiver & MOVE Information Sheet
 - Mailed absentee ballots must have a postage pre-paid return envelope (ABS-6)
 - Don't forget the ABS Voters Bill of Rights!
 - More information on materials to include in the ABS packet found in 2023 *Election Administrator's Guidebook*
- Ballot ready date
 - SVRS default for date ABS ballots are first sent is 3/18/23
 - If your county wants to move the date up, submit a CAF in SVRS
- After the first batch of ballots are sent, counties must send ABS out the same day the application is reviewed and approved

Election Day Poll Workers

- Only a primary election for one party?
 - Still need poll workers from both parties!
- Deadline for county chairs to nominate individuals is NOON, April 11, 2023
 - After noon, April 11, 2023, CEB can backfill positions with qualified individuals

D & R Ballot Vacancies

- D & R Parties can fill ballot vacancies if no candidate ran in the primary election
 - Begin filling after May 2, 2023 primary
 - Deadline to hold caucus, if applicable, **AND** file selection paperwork is noon, July 3, 2023
- Confusion over at-large contests
 - Cardinal Town has 3 at-large council seats on ballot
 - R's recruit 4 candidates to run in primary
 - Primary held to determine which 3 candidates are on the ballot in November
 - D's recruit 1 candidate to run in primary
 - Candidate that filed to run in primary advances to November ballot
 - D Party can fill two ballot vacancies to have a full slate of 3 candidates on the November ballot

D/R/L Parties CANNOT fill ballot vacancies in small towns that nominate candidates at town convention rather than a primary election!

D & R Ballot Vacancies

- D & R Parties can fill ballot vacancies if a candidate nominated at the primary election:
 - Withdraws for any reason, up to noon, July 17, 2023
 - Withdraws at any time because he or she moved out of the election district
 - Is ordered off the ballot at any time
 - Passes away
 - Is convicted of a felony
 - Fills a ballot vacancy when no candidate ran in the primary but was then successfully challenged & removed from the ballot
 - IC 3-13-1, generally, covers procedures for an “early” ballot vacancy, which covers all ballot vacancies up to 30-days before November election
 - IC 3-13-2, generally, covers procedures for a “late” ballot vacancy, which covers all ballot vacancies during final 30-days before the election

D & R Ballot Vacancies

- Fill Ballot Vacancies Two Ways
 - By Direct Appointment
 - Requires party organization to pass a resolution or adopt a motion to give county chair (or central committee) ability to fill ballot vacancies without a caucus
 - No prescribed form
 - No limit on how long resolution is “good for” – could be for a few weeks of 2023 or until the chair’s term concludes or forever!
 - Resolution or meeting minutes **MUST** be attached to EACH paperwork packet where chair filled a ballot vacancy
 - CAN-49
 - CAN-48 (as a candidate’s consent form)
 - CAN-12 (statement of economic interests)
 - Copy of meeting minutes or resolution

D & R Ballot Vacancies

- Fill Ballot Vacancies Two Ways
 - By Party Caucus
 - Notice of Caucus (CAN-47)
 - MUST be sent to all eligible PCs not later than 10-days before the caucus is held AND
 - MUST be filed with the clerk's office not later than NOON, 10-days before the caucus
 - Declaration of Candidacy (CAN-48)
 - MUST be filed with the chair of the caucus not later than 72-hours before the caucus is held AND
 - MUST be filed with the clerk's office not later than 72-hours before the caucus
 - NOTE: CAN-12 does not have to be filed at this point

D & R Ballot Vacancies

- Fill Ballot Vacancies Two Ways
 - By Party Caucus
 - Certificate of Candidate Selection (CAN-49)
 - Must be filed with county clerk not later than noon, July 3, 2023 IF party is filling a ballot vacancy where no one ran in the primary election
 - Must be filed with county clerk not later than noon, 3-days after holding the caucus IF party is filling ballot vacancy where candidate withdraws after being nominated at the primary, etc.
 - Statement of Economic Interests (CAN-12)
 - Must be filed with the CAN-49 following the caucus
 - NOTE: In 2023, candidates for city and town judge file the statement of economic interests form prescribed by the Commission on Judicial Qualifications, which is NOT the CAN-12

Libertarian Party Candidates

- Two Ballot Access Paths
 - Hold a convention to nominate candidates
 - Do NOT need to inform the counties about their convention
 - Instead, file CAN-22 & CAN-12 with county not later than noon, July 3, 2023
 - CAN-22 requires convention chair & secretary to sign-off on candidate
 - Fill ballot vacancies where no candidate was nominated for an office at convention
 - State Chair DOES need to notify county clerk of their intent to fill ballot vacancies at least 10-days before filling the vacancy
 - No state form for this; a letter outlining which ballot vacancies the party intends to fill is sufficient
 - Deadline to fill ballot vacancies AND file CAN-32 & CAN-12 is noon, July 3, 2023

NOTE: Libertarian candidates in “small” towns where no primary is held follow the “small” town nominating convention procedures – see later slides

Independent & Minor Party Candidates

- Two-Step Filing Process to Appear on Nov. Ballot
 - Petition of Nomination (CAN-44)
 - Must collect petition signatures of voters within their election district totaling at least 2% of the total votes cast for all SOS candidates in 2022
 - Round down: example – 11.89 would be 11 signatures
 - NOTE: HB1336 has language that would set the minimum signature requirement at 5 for ONLY those election districts included ENTIRELY within one precinct, but not including all of that precinct
 - Example: Town Council District 1 was drawn to only include only half of one precinct, nothing more. If this bill passes as currently written, the candidate will need 5 certified signatures
 - In election districts covering more than one county, only county clerk where voter is registered can certify the signature
 - Deadline to file: NOON, June 30, 2023



Independent & Minor Party Candidates

- Two-Step Filing Process to Appear on Nov. Ballot
 - Candidate Consent (CAN-45)
 - Deadline to file is noon, July 17, 2023
 - Candidate can file it earlier, but there is no requirement to file it with the non-certified CAN-44 petitions
 - See next slide for more details

Independent & Minor Party Candidates

- Two-Step Filing Process to Appear on Nov. Ballot
 - Statement of Economic Interests (CAN-12)
 - In counties where clerk is chief VR official:
 - CAN-12 is to be filed with the CAN-44 petition
 - Means CAN-12 would need to be filed not later than noon, June 30, 2023
 - In counties with a separate Board of Registration (Allen, LaPorte, Madison, Marion, Vanderburgh, Vigo) or Lake, Porter or Tippecanoe County Board of Elections & Registration:
 - CAN-12 is to be filed with CAN-45 consent and certified petitions to the county clerk not later than noon, July 17, 2023
 - NOTE: CAN-44 petitions must still be filed with VR Board not later than noon, June 30, 2023 to be reviewed & certified



Independent & Minor Party Candidates

- Declared Write-in Candidates
 - Name is NOT placed on the ballot
 - Instead, county must place a “write-in” line on the Nov. ballot, but only in the races where a declared write-in has filed paperwork
 - NOTE: Exception to this rule in 2024 where a write-in line must be provided for President, US Senate, US House, even if no candidate filed declared write-in form
- Candidate files CAN-51 & CAN-12 not later than noon, July 3, 2023

Candidates for Small Town Offices (No Primary Held)

- D, R & L Candidates
 - File CAN-16 & CAN-12 with county clerk not later than noon, August 1, 2023
 - If party has a contest for an office:
 - Must hold a small town nominating convention
 - Orange “2023 Town Election Guidebook” has details on managing the convention
 - CAN-18 to identify which candidate was nominated at convention must be filed with county clerk not later than noon, August 28, 2023
 - If party does NOT have a contest for any office:
 - No need to hold town nominating convention; candidates are placed on Nov. ballot
- Independent & Minor Party Candidates
 - See previous slides for ballot access rules
 - Deadlines for these candidates are not moved!

D/R/L Parties CANNOT fill ballot vacancies in small towns that nominate candidates at town convention rather than a primary election!



QUESTIONS?

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